THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.5480 OF 2003

Dated:11-08-2005

Between:

1. Smt P. Elizabeth, w/o. Sri P. Kishan, aged about 56 years, occ:Household.

2. Dr. P. Sugunakar Raj, s/o. P. Kishan, 35 yeas, occ:Medical Practitioner.

(Both are R/o. Jangaon Town, Warangal District.

..Petitioners.

And

The Commissioner, Nagar Panchayat/Municipality, Jangaon, Warangal District.

..Respondent.

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.5480 OF 2003

ORDER:

This writ petition is filed to declare the action of the respondent in alternation of the ownership as per the Alteration of Ownership of the Property in

Assessment Books Rules, 1966 and the Andhra Pradesh Municipalities Act, 1965 and the Rules framed thereunder, basing on the letters dated 14-6-2001 and 18-12-2001 respectively issued by the District Collector, Warangal and the Revenue Divisional Officer, Jangaon, as illegal and arbitrary and consequently, to direct the respondent to consider the application of the petitioner dated 23-10-2002.

The brief facts are that the petitioners have purchased house plots from the Christian Welfare Society of Baptist Churches, Jangaon in the year 2001. As per the Alteration of Ownership of Property in Assessment Books Rules, 1966, both the petitioners have submitted applications for alteration of ownership on 23-10-2002 before the respondent. The respondent without considering their applications issued a memo dated 28-10-2002 stating that he received a communication from the District Collector, Jangaon, dated 14-6-2001 and the Revenue Divisional Officer, Jangaon, dated 18-12-2001 directing him not to transfer the ownership of the lands covered by Sy.Nos.88,89,146,158,159 and 160 and rejected their applications. Hence, the writ petition.

No counter has been filed by the respondent.

Heard both the learned counsel and perused the material on record.

A perusal of the record goes to show that the matter in question is purely civil in nature. Therefore, without expressing any opinion on merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the respondent to consider the applications of the petitioners dated 23-10-2002 after giving an opportunity to them and pass appropriate orders in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No order as to costs.

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11-08-2005

sj